

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EPIC GAMES, INC.,
Plaintiff,
v.
APPLE INC.,
Defendant.

Case No. 20-cv-05640-YGR (TSH)

DISCOVERY ORDER

Re: Dkt. No. 1645

In ECF No. 1641, the Court concluded that Apple had forfeited its claim of privilege over Entries 2522 and 2525 because it disobeyed two orders to provide the documents in camera in a manner that made clear what Apple's redactions were. In the joint discovery letter brief at ECF No. 1645, Apple explains that its prior statement that the documents had been redacted was an inadvertent error and that in fact the documents were withheld in full. Apple contends the Court should reconsider its holding in light of this information and find the documents privileged. Epic continues to maintain both documents are not privileged.

The Court appreciates the information that Apple has provided and agrees that reconsideration is warranted. Accordingly, the Court **VACATES** its prior holding that Apple has forfeited its privilege claim over these two documents. The Court **SUSTAINS** Apple's claim of privilege as to Entries 2522 and 2525 and **OVERRULES** Epic's objections to the Special Masters' privilege determinations. This order does not alter the Court's prior ruling concerning the attachments.

IT IS SO ORDERED.

Dated: June 17, 2025


THOMAS S. HIXSON
United States Magistrate Judge